SINGLE BENCH (15)

PAGE NO. 1

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No.:- 1137 **/ 2006.** **{S.B.}**

PETITIONERS :-

1. **S.L.Devangan**, Age-53 Years S/o Late Shri Sakharam Devangan By Occupation: - Sub-Inspector (M) Home guard HQR Raipur.
2. **T.R. Sinha**, Age-59 Yrs. S/o Shri Late Baisakhuram Sinha By Occupation: - Subedar (M) Home guard H.Q. Raipur.
3. **Rajesh Singh** Age-35Years S/O Shri B.R. Singh stenographer Occupation: - Home guard H.Q. Raipur.
4. **B.S. Gaharvar** Age. 54 years S/o Shri R.P. Singh S.I. (M) Occupation:. Home guard H.Q. Raipur
5. **N.P. Pandey** Age.50 years S/o Late Shri J.P. Pandey Occupation: -Sub-Inspector (M) Home guard R P R
6. **K.K.Mishra** Age. 42 years Yrs S/o Shri Naval Kishor Mishra Occupation: - Sub- Inspector (M) Home guard H.Q. Raipur
7. **Mahendra Kumar Lahare** Age. 45year S/o. Latel Ram Lahri Occupation: ~~Sub Inspector~~ (M) H.Q.R Raipur
8. **P.L. Singh** Aged 49 Years S/o Late,Shri Rameshver Singh Sub- Inspector (M) Home Guard H Q Raipur
9. **T.L. Sahu** Aged 46 Years S/o late Shri Shankar Lal Sahu Sub- Inspector (M) Home Guard R.P.R
10. **B.R. Skhare** Aged 45 years S/o late shri Shivcharan Skhare Sub- Inspector (M) Home Guard
11. **S. K. Bhagat** Aged 47 years S/O. late shri Eknat Bhagat Sub-Inspector (M) Home Guard
12. **A.R. Sahu** S/o Kaliram Sahu age 47 year Sub- Inspector (M) Home Guard R.P.R. Raipur

R.R. No. 10/6/06
Presented by B.K. Sahu
dated 24/2/06

उप रजिस्ट्रार, एस आर मोलिक, बिलासपुर, 24/2/06

Prakash Tiwari
ADVOCATE

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24.2.06
CLERK to A. G. BILASPUR

-: V E R S U S :-

RESPONDENTS: -

1. **The State of Chhattisgarh** Through The Secretary, Home & Police AFFAIRS, D.K.S.Mantralaya Bhavan, Raipur {C.G.}

2. **The Secretary, Finance**
D.K.S.Mantralaya Bhavan,
Raipur {C.G.}

3. **The Director General Of Home guards,** Mana Camp ,
Raipur {C.G.}

4. **Senior Staff Officer**
Home Guards
Mana Camp ,Raipur,
Raipur {C.G.}

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF THE DIRECTION (S), OR ORDER (S).

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 1137/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	26.4.2006 Shri Prakash Tiwari, Advocate for the petitioners. Shri Ashutosh Kachwaha, Dy. Govt. Adv. for the State. Heard. By the instant petition the petitioners, who are working as Sub-Inspector (M) in Home Guards, State of Chhattisgarh have questioned the legality, propriety & correctness of order dated 24.1.2006 (Annexure P-1) passed by respondent No.4-Senior Staff Officer, Home Guards, Raipur whereby the ad-hoc increase in the salary given by earlier order dated 6.8.2005 has been withdrawn and it has further been directed that the payment already made be recovered from the petitioners, as Government's order in this regard is awaited. Learned counsel for the petitioners submitted that other similarly situated employees are getting the same benefit and the petitioners were also extended the said benefit in pursuance of this Court's order dated 26.4.2005 passed in W.P.(S) No.1555/05. Counsel further submits that the order dated 4.7.2005 (Annexure P-8) passed by the State Government is very clear and the case of the petitioners is already covered by Annexure P-8, as they are the employees of Nagar Sena which is included in the order dated 4.7.2005 (Annexure P-8) of the State Government, therefore, order impugned is illegal.	

[पीछे देखिये

(60)

HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having heard learned counsel for the parties, I have perused the record.

Increase of Rs.70/- in the pay of the petitioners was made in pursuance of this Court's order dated 26.4.2005 passed in W.P.(S) No.1555/05, that order was passed on the ground of parity because in pursuance of order of the State Administrative Tribunal Bench at Jabalpur in M.A. No.218/01 and order dated 10.12.2004 passed by the M.P. High Court, Bench at Gwalior in W.P. No.3113/04 similarly situated employees were allowed to draw the increase of Rs.70/-, therefore, the order dated 4.7.2005 (Annexure P-8) was passed by the Government.

In the circumstances, the impugned order passed by respondent No.4-Senior Staff Officer, Home Guards, Raipur is liable to be quashed. Accordingly, the petition is allowed and impugned order dated 24.1.2006 (Annexure P-1) is, hereby, quashed.

Consequently, M.(W.)P. No.885/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

shan/-

[पीछे देखिये